

Department of Community Planning and Economic Development – Planning Division
Conditional Use Permit, three Variances and Site Plan Review
BZZ-2436

Date: August 1, 2005

Applicant: 718 Washington Avenue Developers LLC

Address of Property: 714 – 718 Washington Avenue North

Project Name: 718 Washington Building

Contact Person and Phone: Charlie Nestor with Master Development Group, (612) 236-1625

Planning Staff and Phone: Hilary Watson, (612) 673-2639

Date Application Deemed Complete: June 27, 2005

End of 60-Day Decision Period: August 26, 2005

End of 120-Day Decision Period: Not applicable

Ward: 5 Neighborhood Organization: North Loop Neighborhood Association

Existing Zoning: I2, Medium Industrial District, IL Industrial Living Overlay District and the DP, Downtown Parking Overlay District.

Proposed Zoning: Not applicable for this application

Zoning Plate Number: 13

Legal Description: Not applicable for this application

Proposed Use: Mixed-use development, including 24 dwelling units, retail uses and light industrial uses

Concurrent Review:

Conditional use permit: for 24 dwelling units

Variance: to reduce the rear yard setback from the required 15 feet to 14 feet to allow for residential dwelling units with windows facing the interior property line

Variance: to reduce the northwest interior side yard setback from 15 feet to 0 feet to allow for residential dwelling units with windows facing the interior property line

Variance: to reduce the width of a portion of the drive aisle from the required 22 feet to 12 feet

Site plan review

Applicable zoning code provisions: Chapter 525, Article VII, Conditional Use Permits, Chapter 525, Article IX, Variances, specifically Section 525.520(1) “to vary the yard requirements, including

permitting obstructions into required yards not allowed by the applicable regulations” and Section 525.520(1) “to reduce the required width of parking aisles...;” and Chapter 530, Site Plan Review.

Background: The building located at 714 – 718 Washington Avenue North was constructed in 1922 for the Johnson Nut Company. When the Johnson Nut Company moved out of the building in the 1950’s the building has been occupied by various light industrial, commercial and office tenants. The applicant is proposing to renovate the existing building and convert the upper two floors into live-work dwelling units. The “work” part of these units will need to meet the standards for home occupations as listed in the zoning code. A copy of the residential lease has been provided and is included in this report. The remaining four floors of the building will be occupied by light industrial, commercial and office tenants. Some of the existing tenants will remain the same and some new tenants will move in. The basement of the building will be converted to parking for the residents of the building and the sub-basement will be converted to storage space for the residents of the building.

The parking requirement for the building is 91 spaces. The breakdown is as follows: residential 24 spaces, retail 20 spaces, offices 13 spaces and light industrial 34 spaces. There will be a total of 27 parking spaces provided in the basement of the building for the residents. The remaining parking spaces are provided in the parking lot located across the street from the site. The applicant has access to a total of 70 parking spaces currently and has the option to lease up to an additional 30 parking spaces if needed.

CONDITIONAL USE PERMIT - for 24 dwelling units

Findings as Required by the Minneapolis Zoning Code:

The Department of Community Planning and Economic Development – Planning Division has analyzed the application and from the findings above concludes that the establishment, maintenance, or operation of the proposed conditional use:

1. Will not be detrimental to or endanger the public health, safety, comfort or general welfare.

The Planning Division does not believe that converting the upper two floors of the building into 24 live-work units will be detrimental to or endanger the public health, safety, comfort or general welfare. Several of the surrounding warehouses in the area are occupied by both residential and non-residential uses. It has been a trend in this area in recent years to convert existing warehouse buildings to residential buildings. Please note that the live-work units will be completely separated from the rest of the uses within the building. Although the elevators and stairways within the building are accessible to every floor of the building, there will be a controlled lobby space on the two residential floors of the building that will require a key card in order to gain access to the entire floor.

2. Will not be injurious to the use and enjoyment of other property in the vicinity and will not impede the normal or orderly development and improvement of surrounding property for uses permitted in the district.

The Planning Division does not believe that 24 dwelling units would be injurious to the use and enjoyment of other property in the area. Utilizing the upper two floors of the building as live-work units will provide for a unique type of housing in the area. The renovation of the building will bring the building up to current building codes, increase the property's value, contribute to the building of the city's infrastructure and contribute to the city's tax base.

3. Adequate utilities, access roads, drainage, necessary facilities or other measures, have been or will be provided.

The applicant will be working closely with the Public Works Department, the Plan Review Section of the Inspections Department and the various utility companies during the duration of the development to ensure that all procedures are followed in order to comply with city and other applicable requirements.

4. Adequate measures have been or will be provided to minimize traffic congestion in the public streets.

The zoning code requires 1 parking space per dwelling unit in the I2 District, resulting in a requirement of 24 spaces for a 24-unit development. The applicant proposes to have 27 parking spaces in the parking garage that is available for the residents. Three of the parking spaces are tandem spaces which the Planning Division does not count as actual parking spaces. The parking garage would be accessed from a driveway off of Washington Avenue North.

5. Is consistent with the applicable policies of the comprehensive plan.

According to the *Minneapolis Downtown 2010 Plan*, this property is located in a downtown neighborhood as found on the concept plan map. In addition, according to *The Minneapolis Plan*, the site is located in the designated Upper River Major Housing Site. According to the Principles and Policies outlined in both of these plans, the following apply to this proposal:

- Promote street-level design of buildings that contribute to downtown's vitality and security encouraging individual entrances to street-level building tenants, windows and architectural detailing (Downtown Physical Setting Policy 1).
- Promote retail and other interesting uses at street level in order to reinforce the linking function of streets and to create vitality. These uses should be encouraged at the street level throughout downtown and required where the continuity of retail is important (Downtown Physical Setting Policy 2).
- Preserve, restore and reuse historic buildings and sites in downtown (Downtown Physical Setting Policy 16).
- Promote housing development that supports a variety of housing types at Major Housing Sites throughout the city (Marketplaces: Neighborhoods Policy 4.17).

The applicant is proposing to convert the upper two floors of the existing building into live-work dwelling units. The first four floors of the building will be occupied by light industrial, commercial and office tenants. The site is located within a designated Major Housing Site where a variety of housing types are encouraged to be located. Live-work units will provide a unique type of housing in the area.

6. And, does in all other respects conform to the applicable regulations of the district in which it is located.

The applicant is proposing to convert the upper two floors into live-work dwelling units. The “work” part of these units will need to meet the standards for home occupations as listed in the zoning code.

VARIANCE - to reduce the rear yard setback from the required 15 feet to 14 feet to allow for residential dwelling units with windows facing the interior property line

Findings as Required by the Minneapolis Zoning Code for the Variance:

1. The property cannot be put to a reasonable use under the conditions allowed and strict adherence to the regulations of this zoning ordinance would cause undue hardship.

Rear yard setback: The applicant is seeking a variance to reduce the rear yard setback from the required 15 feet to 14 feet to allow for residential dwelling units with windows facing the interior property line. The applicant has indicated that the building is located 14 feet from the rear property line. By converting the upper two floors of the building from an industrial use to a residential use the building becomes non-conforming as to setbacks located along the rear property line. In order to make the building compliant with all zoning code requirements the applicant has applied for this variance.

2. The circumstances are unique to the parcel of land for which the variance is sought and have not been created by any persons presently having an interest in the property. Economic considerations alone shall not constitute an undue hardship if reasonable use for the property exists under the terms of the ordinance.

Rear yard setback: The location of the existing building is a unique circumstance of this parcel of land.

3. The granting of the variance will be in keeping with the spirit and intent of the ordinance and will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity.

Rear yard setback: The granting of the setback variance will not significantly affect the essential character of the area given that the building is currently located 14 feet from the rear property line.

4. The proposed variance will not substantially increase the congestion of the public streets, or increase the danger of fire, or be detrimental to the public welfare or endanger the public safety.

Rear yard setback: Staff believes that the granting of the variance would likely have little impact on congestion of area streets or fire safety, nor would the proposed setback be detrimental to welfare or public safety.

VARIANCE - to reduce the northwest interior side yard setback from 15 feet to 0 feet to allow for residential dwelling units with windows facing the interior property line

Findings as Required by the Minneapolis Zoning Code for the Variance:

1. The property cannot be put to a reasonable use under the conditions allowed and strict adherence to the regulations of this zoning ordinance would cause undue hardship.

Northwest interior side yard setback: The applicant is seeking a variance to reduce the northwest interior side yard setback from 15 feet to 0 feet to allow for residential dwelling units with windows facing the interior property line. The applicant has indicated that the building is located at the northwest interior side property line. By converting the upper two floors of the building from an industrial use to a residential use the building becomes non-conforming as to setbacks located along the northwest interior side property line. In order to make the building compliant with all zoning code requirements the applicant has applied for this variance.

2. The circumstances are unique to the parcel of land for which the variance is sought and have not been created by any persons presently having an interest in the property. Economic considerations alone shall not constitute an undue hardship if reasonable use for the property exists under the terms of the ordinance.

Northwest interior side yard setback: The location of the existing building is a unique circumstance of this parcel of land.

3. The granting of the variance will be in keeping with the spirit and intent of the ordinance and will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity.

Northwest interior side yard setback: The granting of the setback variance will not significantly affect the essential character of the area given that the building is currently located 0 feet from the northwest interior side property line.

4. The proposed variance will not substantially increase the congestion of the public streets, or increase the danger of fire, or be detrimental to the public welfare or endanger the public safety.

Northwest interior side yard setback: Staff believes that the granting of the variance would likely have little impact on congestion of area streets or fire safety, nor would the proposed setback be detrimental to welfare or public safety.

VARIANCE - to reduce the width of a portion of the drive aisle from the required 22 feet to 12 feet

Findings as Required by the Minneapolis Zoning Code for the Variance:

1. The property cannot be put to a reasonable use under the conditions allowed and strict

adherence to the regulations of this zoning ordinance would cause undue hardship.

Drive aisle width: The applicant is seeking a variance to reduce the width of a portion of the drive aisle from the required 22 feet to 12 feet. The portion of the drive aisle that is less than 22 feet in width impacts six of the parking spaces provided. The applicant has indicated that the building is existing and that the structural columns in the building are spaced every 14 feet from one another. The entrance and exit to the underground parking level are one in the same. Given this, the six parking spaces located closest to the entrance/exit maneuver into and out of a two-way drive aisle. The rest of the parking spaces in the garage maneuver into and out of a one-way drive aisle. The variance is needed to reduce the width of the portion of the drive aisle that functions as a two-way drive aisle. The applicant has indicated that access to the garage will be controlled through meters and control arms/doors. When one vehicle is entering the parking garage no vehicles will be allowed to exit the garage. Given this, the two-way portion of the drive aisle will function as a one-way drive aisle.

2. The circumstances are unique to the parcel of land for which the variance is sought and have not been created by any persons presently having an interest in the property. Economic considerations alone shall not constitute an undue hardship if reasonable use for the property exists under the terms of the ordinance.

Drive aisle width: The fact that the building is existing and that one level of it is being converted to a parking garage and that the placement of the structural columns is an existing condition are unique physical characteristics of this site.

3. The granting of the variance will be in keeping with the spirit and intent of the ordinance and will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity.

Drive aisle width: The granting of the drive aisle width variance will not significantly affect the essential character of the area given that only the residents of the building will be utilizing the parking garage.

4. The proposed variance will not substantially increase the congestion of the public streets, or increase the danger of fire, or be detrimental to the public welfare or endanger the public safety.

Drive aisle width: Staff believes that the granting of the variance would likely have little impact on congestion of area streets or fire safety, nor would the proposed drive aisle width be detrimental to welfare or public safety.

SITE PLAN REVIEW

Findings as Required by the Minneapolis Zoning Code:

A. The site plan conforms to all applicable standards of Chapter 530, Site Plan Review. (See Section A Below for Evaluation.)

- B. The site plan conforms to all applicable regulations of the zoning ordinance and is consistent with applicable policies of the comprehensive plan and applicable small area plans adopted by the city council. (See Section B Below for Evaluation.)**

Section A: Conformance with Chapter 530 of Zoning Code

BUILDING PLACEMENT AND FACADE:

- Placement of the building shall reinforce the street wall, maximize natural surveillance and visibility, and facilitate pedestrian access and circulation.
- First floor of the building shall be located not more than eight (8) feet from the front lot line (except in C3S District or where a greater yard is required by the zoning ordinance). If located on corner lot, the building wall abutting each street shall be subject to this requirement.
- The area between the building and the lot line shall include amenities.
- The building shall be oriented so that at least one (1) principal entrance faces the public street. In the case of a corner lot, the principal entrance shall face the front lot line.
- Except in the C3S District, on-site accessory parking facilities shall be located to the rear or interior of the site, within the principal building served, or entirely below grade.
- For new construction, the building walls shall provide architectural detail and shall contain windows as required by Chapter 530 in order to create visual interest and to increase security of adjacent outdoor spaces by maximizing natural surveillance and visibility.
- In larger buildings, architectural elements, including recesses or projections, windows and entries, shall be emphasized to divide the building into smaller identifiable sections.
- Blank, uninterrupted walls that do not include windows, entries, recesses or projections, or other architectural elements, shall not exceed twenty five (25) feet in length.
- Exterior materials shall be durable, including but not limited to masonry, brick, stone, stucco, wood, metal, and glass.
- The exterior materials and appearance of the rear and side walls of any building shall be similar to and compatible with the front of the building.
- The use of plain face concrete block as an exterior material shall be prohibited fronting along a public street, public sidewalk, public pathway, or adjacent to a residence or office residence district.
- Entrances and windows:
 - Residential uses:
 - Principal entrances shall be clearly defined and emphasized through the use of architectural features such as porches and roofs or other details that express the importance of the entrance. Multiple entrances shall be encouraged. Twenty (20) percent of the walls on the first floor and ten (10) percent of the walls on each floor above the first that face a public street, public sidewalk, public pathway, or on-site parking lot, shall be windows as follows:
 - a. Windows shall be vertical in proportion.
 - b. Windows shall be distributed in a more or less even manner.
 - Nonresidential uses:

- **Principal entrances shall be clearly defined and emphasized through the use of architectural features such as roofs or other details that express the importance of the entrance. Multiple entrances shall be encouraged. Thirty (30) percent of the walls on the first floor and ten (10) percent of the walls on each floor above the first that face a public street, public sidewalk, public pathway, or on-site parking lot, shall be windows as follows:**
 - a. **Windows shall be vertical in proportion.**
 - b. **Windows shall be distributed in a more or less even manner.**
 - c. **The bottom of any window used to satisfy the ground floor window requirement may not be more than four (4) feet above the adjacent grade.**
 - d. **First floor or ground floor windows shall have clear or lightly tinted glass with a visible light transmittance ratio of 0.6 or higher.**
 - e. **First floor or ground floor windows shall allow views into and out of the building at eye level. Shelving, mechanical equipment or other similar fixtures shall not block views into and out of the building in the area between four (4) and seven (7) feet above the adjacent grade. However, window area in excess of the minimum required area shall not be required to allow views into and out of the building.**
- **Industrial uses in Table 550-1, Principal Industrial Uses in the Industrial Districts, may provide less than thirty (30) percent windows on the walls that face an on-site parking lot, provided the parking lot is not located between the building and a public street, public sidewalk or public pathway.**
- **Minimum window area shall be measured as indicated in section 530.120 of the zoning code.**
- **The form and pitch of roof lines shall be similar to surrounding buildings.**
- **Parking Garages: The exterior design shall ensure that sloped floors do not dominate the appearance of the walls and that vehicles are screened from view. At least thirty (30) percent of the first floor building wall that faces a public street, public sidewalk or public pathway shall be occupied by active uses, or shall be designed with architectural detail or windows, including display windows, that create visual interest.**

PLANNING DEPARTMENT RESPONSE:

- This development reinforces the street wall, maximizes natural surveillance and facilitates pedestrian access. The building is located on the property line along Washington Avenue North, there are entrances and exits at street level and there are large windows where people can see in and out along all levels of the building.
- Along Washington Avenue North, two of the commercial spaces will have direct access to the public sidewalk. There is also a principal entrance leading into the building from the public sidewalk along Washington Avenue North. The three stairways leading into the building from Washington Avenue North will require an encroachment permit as they are located in the public right-of-way. This is an existing condition of the building. Please note that the live-work units will be completely separated from the rest of the uses within the building. Although the elevators and stairways within the building are accessible to every floor of the building, there will be a controlled lobby space on the two residential floors of the building that will require a key card in order to gain access to the entire floor.
- An accessible ramp will be constructed along the southeast side of the building. The ramp was originally proposed to be constructed along the front of the building, parallel with Washington

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Avenue North, but the right-of-way department would not approve an encroachment permit for it so it was moved.

- The applicant proposes to have 27 parking spaces located within the building. The parking garage would be accessed from a driveway off of Washington Avenue North.
- The exterior material of the building is brick. New windows will be installed throughout the building and an equipment enclosure will be constructed on the back side of the building. The equipment enclosure will be constructed out of metal.
- There are no blank, interrupted walls over 25 feet in length void of any windows, entries, recesses or projections, or other architectural elements other than the equipment enclosure located on the back side of the building. The Planning Division is recommending that the commission grant alternative compliance to allow this portion of the building to be blank as its intended purpose is to screen the mechanical equipment from the surrounding properties.
- At least 30 percent of the first floor and at least 10 percent of the upper floors of the building wall facing Washington Avenue North is required to be windows.
 - Washington Avenue North: the percentage of windows on the first floor of the building is approximately 46 percent, the percentage of windows on the second through fifth floors of the building is approximately 31 percent and the percentage of windows on the sixth floor of the building is approximately 16 percent.
- The roof line of the building is flat.

ACCESS AND CIRCULATION:

- **Clear and well-lighted walkways of at least four (4) feet in width shall connect building entrances to the adjacent public sidewalk and to any parking facilities located on the site.**
- **Transit shelters shall be well lighted, weather protected and shall be placed in locations that promote security.**
- **Vehicular access and circulation shall be designed to minimize conflicts with pedestrian traffic and surrounding residential uses.**
- **Traffic shall be directed to minimize impact upon residential properties and shall be subject to section 530.150 (b) related to alley access.**
- **Site plans shall minimize the use of impervious surfaces.**

PLANNING DEPARTMENT RESPONSE:

- The three entrances along Washington Avenue North are accessed directly from the public sidewalk.
- There are no transit shelters on or adjacent to the site.
- All of the parking for the residential portion of the development is located within the building.
- There is no maximum impervious surface requirement for this development. The entire site is impervious and there are no reasonable opportunities to create permeable areas on the site.

LANDSCAPING AND SCREENING:

- The composition and location of landscaped areas shall complement the scale of the development and its surroundings.
- Not less than twenty (20) percent of the site not occupied by buildings, including all required landscaped yards, shall be landscaped as specified in section 530.160 (a).
- Required screening shall be six (6) feet in height, unless otherwise specified, except in required front yards where such screening shall be three (3) feet in height.
- Except as otherwise provided, required screening shall be at least ninety-five (95) percent opaque throughout the year. Screening shall be satisfied by one or a combination of the following:
 - A decorative fence.
 - A masonry wall.
 - A hedge.
- Parking and loading facilities located along a public street, public sidewalk or public pathway shall comply with section 530.170 (b), including providing landscape yards along a public street, public sidewalk or public pathway and abutting or across an alley from a residence or office residence district, or any permitted or conditional residential use.
- The corners of parking lots where rows of parking spaces leave areas unavailable for parking or vehicular circulation shall be landscaped as specified for a required landscaped yard. Such spaces may include architectural features such as benches, kiosks or bicycle parking.
- In parking lots of ten (10) spaces or more, no parking space shall be located more than fifty (50) feet from the center of an on-site deciduous tree. Tree islands located within the interior of a parking lot shall have a minimum width of seven (7) feet in any direction.
- All other areas not governed by sections 530.160 and 530.170 and not occupied by buildings, parking and loading facilities or driveways, shall be covered with turf grass, native grasses or other perennial flowering plants, vines, mulch, shrubs or trees.
- Installation and maintenance of all landscape materials shall comply with the standards outlined in section 530.210.
- The city planning commission may approve the substitution or reduction of landscaped plant materials, landscaped area or other landscaping or screening standards, subject to section 530.80, as provided in section 530.220.

PLANNING DEPARTMENT RESPONSE:

- The zoning code requires that at least 20 percent of the site not occupied by the building be landscaped. The lot area of the site is 21,847 square feet. The footprint of the buildings is 17,185 square feet. When you subtract the footprint from the lot size the resulting number is 4,662 square feet. Twenty percent of this number is 932 square feet. The applicant is not proposing to have any landscaping on the site. The Planning Division is recommending that the commission grant alternative compliance to not require any landscaping on the site as the site not occupied by the building is utilized as a loading area and a driveway leading to and from the underground parking garage.
- The zoning code requires at least 1 tree for each 500 square feet of required green space and at least 1 shrub for each 100 square feet of required green space. The tree and shrub requirement for this site is 2 and 10 respectfully. The applicant is not proposing to have any trees or shrubs on the site. The Planning Division is recommending that the commission grant alternative compliance to not

require any trees or shrubs on the site as the site not occupied by the building is utilized as a loading area and a driveway leading to and from the underground parking garage.

- The applicant is proposing to install a 4-foot high decorative metal fence along the north property line which will connect to the building on both the east and west corners. The same fence will be located along the west side of the driveway leading to the belowground parking level.

ADDITIONAL STANDARDS:

- All parking lots and driveways shall be designed with wheel stops or discontinuous curbing to provide on-site retention and filtration of stormwater. Where on-site retention and filtration is not practical, the parking lot shall be defined by six (6) inch by six (6) inch continuous concrete curb.
- Lighting shall comply with the requirements of Chapter 535 and Chapter 541. A lighting diagram may be required.
- Parking and loading facilities and all other areas upon which vehicles may be located shall be screened to avoid headlights shining onto residential properties.
- To the extent practical, site plans shall minimize the blocking of views of important elements of the city.
- To the extent practical, buildings shall be located and arranged to minimize shadowing on public spaces and adjacent properties.
- To the extent practical, buildings shall be located and arranged to minimize the generation of wind currents at ground level.
- Site plans shall include crime prevention design elements as specified in section 530.260 related to:
 - Natural surveillance and visibility
 - Lighting levels
 - Territorial reinforcement and space delineation
 - Natural access control
- To the extent practical, site plans shall include the rehabilitation and integration of locally designated historic structures or structures that have been determined to be eligible to be locally designated. Where rehabilitation is not feasible, the development shall include the reuse of significant features of historic buildings.

PLANNING DEPARTMENT RESPONSE:

- The roof drains will be connected to the storm sewer system and the stormwater runoff from the driveway will be directed out to the curb cut and into the stormwater system.
- A lighting plan showing footcandles was not submitted as part of the application materials. The Planning Division is recommending that the applicant submit a lighting plan so staff can verify that the lighting levels comply with the requirements of Chapter 535.
- The building is existing and would not block existing views of important elements within the city.
- This building is existing and would cast no new shadows on surrounding properties.
- This development should not contribute to groundlevel winds.
- The Crime Prevention Specialist has reviewed the project in regards to crime prevention design elements. In order to be in compliance with the CPTED guidelines, proper lighting needs to be located near all entrances and graffiti protection needs to be located on the rear side of the building.
- This site is neither historically designated nor located in a historic district.

Section B: Conformance with All Applicable Zoning Code Provisions and Consistency with the Comprehensive Plan and Applicable Small Area Plans Adopted by the City Council

ZONING CODE:

- **Use:** The proposed use is conditional in the I2 District / II Industrial Living Overlay District.
- **Off-Street Parking and Loading:** The zoning code requires 1 parking spaces per dwelling unit, 4 parking spaces per retail space under 4,000 square feet, 1 space per 300 square feet of gross floor area over 4,000 square feet for office space and 1 space per 1,000 square feet of gross floor area up to 20,000 square feet plus 1 space per 2,000 square feet of gross floor area over 20,000 square feet. The resulting parking requirement for this development is 91 spaces. There will be a total of 27 parking spaces provided in the basement of the building for the residents. The remaining parking spaces are provided in the parking lot located across the street from the site. The applicant has access to a total of 70 parking spaces currently and has the option to lease up to an additional 30 parking spaces if needed.
- **Maximum Floor Area:** The maximum FAR in the I2 District is 2.7. The lot in question is 21,847 square feet in area. The building is 103,110 square feet of gross floor area, an FAR of 4.719. This is an existing condition.
- **Building Height:** Building height in the I2 District is limited to 4 stories or 56 feet, whichever is less. The building is 6-stories (70-foot) tall. This is an existing condition.
- **Minimum Lot Area:** The I2 District / IL Industrial Living Overlay District requires not less than 900 square feet of lot area per dwelling unit. With 24 proposed dwelling units on a lot of 21,847 square feet, the applicant proposes approximately 910 square feet of lot area per dwelling unit.
- **Yard Requirements:** For residential uses with windows facing the interior side or rear yard property line the setback is 5+2x, where x equals the number of stories above the first floor. The resulting setback along the rear and northwest interior side property lines is 15 feet. The applicant has applied for variances of both of these setbacks.
- **Specific Development Standards:** There are no specific development standards for the uses proposed to be located in the building.
- **Hours of Operation:** Residential uses are not subject to hours of operation. The hours of operation for the light industrial, commercial and office uses within the building are Sunday through Thursday, 6 am to 10 pm and Friday and Saturday, 6 am to 11 pm.
- **Signs:** Signs are subject to the requirements of Chapter 543 of the Zoning Code. Given the width of the building the applicant can have up to 176 square feet of signage on the building. Wall signs are limited to 180 square feet in size and projecting signs are limited to 16 square feet in size. Signs,

either wall signs or projecting signs, cannot be located higher than 24 feet on the wall. The applicant is proposing to have one 80 square foot wall sign on the front of the building and six 16 square foot projecting signs on the front of the building. There would be a total of 160 square feet of signage on the building. The height of the wall sign is 17 feet and the height of the projecting signs are 14 feet.

- **Refuse storage:** The refuse storage containers and recycling bins will be located on the first floor of the building in the loading dock area. They will be rolled out onto the loading dock on collection day.

MINNEAPOLIS PLAN:

According to the *Minneapolis Downtown 2010 Plan*, this property is located in a downtown neighborhood as found on the concept plan map. In addition, according to *The Minneapolis Plan*, the site is located in the designated Upper River Major Housing Site. According to the Principles and Policies outlined in both of these plans, the following apply to this proposal:

- Promote street-level design of buildings that contribute to downtown's vitality and security encouraging individual entrances to street-level building tenants, windows and architectural detailing (Downtown Physical Setting Policy 1).
- Promote retail and other interesting uses at street level in order to reinforce the linking function of streets and to create vitality. These uses should be encouraged at the street level throughout downtown and required where the continuity of retail is important (Downtown Physical Setting Policy 2).
- Preserve, restore and reuse historic buildings and sites in downtown (Downtown Physical Setting Policy 16).

The applicant is proposing to renovate the existing building. The first four floors of the building will be occupied by light industrial, commercial and office tenants and convert and the upper two floors of the building will be converted into live-work dwelling units. Along Washington Avenue North, two of the commercial spaces will have direct access to the public sidewalk. There is also a principal entrance leading into the building from the public sidewalk along Washington Avenue North.

ALTERNATIVE COMPLIANCE:

- **The Planning Commission or zoning administrator may approve alternatives to any site plan review requirement upon finding any of the following:**
- **The alternative meets the intent of the site plan chapter and the site plan includes amenities or improvements that address any adverse effects of the alternative. Site amenities may include but are not limited to additional open space, additional landscaping and screening, green roof, decorative pavers, ornamental metal fencing, architectural enhancements, transit facilities, bicycle facilities, preservation of natural resources, restoration of previously damaged natural environment, rehabilitation of existing structures that have been locally designated or have been determined to be eligible to be locally designated as historic structures, and design which is similar in form, scale and materials to existing structures on the site and to surrounding development.**

- **Strict adherence to the requirements is impractical because of site location or conditions and the proposed alternative meets the intent of this chapter.**
- **The proposed alternative is consistent with applicable development plans or development objectives adopted by the city council and meets the intent of this chapter.**

PLANNING DEPARTMENT RESPONSE:

- The Planning Division is recommending that the Planning Commission grant alternative compliance to allow the equipment enclosure portion of the building to be blank as its intended purpose is to screen the mechanical equipment from the surrounding properties.
- The Planning Division is recommending that the Planning Commission grant alternative compliance to not require any landscaping or any trees or shrubs on the site as the site not occupied by the building is utilized as a loading area and a driveway leading to and from the underground parking garage. Strict adherence to this requirement is impractical given that the building is existing and that the only access to the underground parking garage and loading area take up the remainder of the site that is not occupied by the building.

RECOMMENDATIONS

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the conditional use permit:

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the conditional use permit application for 24 dwelling units for the property located at 714 – 718 Washington Avenue North subject to the following conditions:

1. The live-work units shall comply with the requirements governing home occupations as required by Chapter 535 of the zoning code.

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the variance:

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the findings above and **approve** the variance to reduce the rear yard setback from the required 15 feet to 14 feet to allow for residential dwelling units with windows facing the interior property line for the property located at 714 – 718 Washington Avenue North.

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the variance:

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the findings above and **approve** the variance to reduce the northwest interior side yard setback from 15 feet to 0 feet to allow for residential dwelling units with

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windows facing the interior property line for the property located at 714 – 718 Washington Avenue North.

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the variance:

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the findings above and **approve** the variance to reduce the width of a portion of the drive aisle from the required 22 feet to 12 feet for the property located at 714 – 718 Washington Avenue North.

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the site plan review:

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the site plan review for a mixed-use development for the property located at 714 – 718 Washington Avenue North subject to the following conditions:

1. The applicant shall submit a lighting plan so staff can verify that the lighting levels comply with the requirements of Chapter 535.
2. Approval of the final site and elevation plans by the Department of Community Planning and Economic Development – Planning Division.
3. All site improvements shall be completed by August 1, 2006, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.

Attachments:

1. Statement of proposed use

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2. Expected tenancy
3. Parking lot lease
4. Residential lease
5. Conditional use permit and variance findings
6. Preliminary Development Review meeting notes
7. June 15, 2005, letter to Council Member Johnson Lee
8. June 15, 2005, letter to the North Loop Neighborhood Association
9. Letters from surrounding property owners
10. Zoning Map and aerial photo
11. Site plan, floor plans and elevations
12. Example of proposed windows
13. Photographs of the site and surrounding area